

**Department of Health
Washington State Nursing Care Quality Assurance Commission
MINUTES
The Ellensburg Inn
1700 Canyon Road, Ellensburg, WA 98926
September 12, 2003, 8:30AM – 4:30PM**

Commission Members present: Roberta Schott, LPN, Co-Chair
Rev. Ezra Kinlow, Public Member
Judith Personett, Ed.D, RN
Jacqueline Rowe, RN
Marlene Wells, LPN
Mariann Williams, RN, MPH, ARNP

Assistant Attorney General: Marc Defreyn, Assistant Attorney General

Staff present: Paula R. Meyer, RN, MSN, Executive Director
Kris McLaughlin, Secretary
Maura Egan, RN, PhD, Education Manager
Connie Fraser, Secretary
Karl Hoehn, Lead Staff Attorney

September 12, 2003

8:30A.M. Nursing Care Quality Assurance Commission Business meeting

1. Opening—Roberta Schott, LPN Vice Chair

- Call to Order – Roberta Schott called the meeting to order at 8:40AM. Introductions were made.

2. Consent Agenda—DISCUSSION/ACTION

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

- Minutes
- Sub-committee minutes
- National Council of State Boards of Nursing (NCSBN) board minutes, committee reports
- Nursing Education Approval (NPAP) Decisions
 1. Nursing Education Programs – Initial and On-going approval status
 2. Faculty Waivers
 3. Programs for candidates to retest for NCLEX
 4. Refresher courses reviewed
 5. Nursing program changes

DECISION: A decision was made to add the Education report to the July minutes.

ACTION: The commission made and passed a motion to remove the minutes from the consent agenda for corrections.

The commission made and passed a motion to accept the minutes with corrections.

3. Chair report—Roberta Schott, LPN Vice Chair — DISCUSSION/ACTION

- National Council of State Boards of Nursing annual meeting, LPN/LVN forum report
- Other

DISCUSSION: Roberta Schott reported on the LPN forum and the NCSBN annual meeting that she attended on August 5-8, 2003 in Alexandria, VA. A report is available at the commission office upon request.

4. Executive Director report—Paula Meyer—DISCUSSION/ACTION

- Board, commission, committee, council annual meeting (BCCC): October 3, Tumwater location. The Nursing Care Quality Assurance Commission will determine participants.
- DOH request legislation
- Personnel changes – review organizational chart
- Other

DISCUSSION: Paula discussed the disciplinary procedures language and the need to clarify the language in the UDA. Eliminating barriers for health professions, 18.79.160, needs to be clarified to remove confusing language.

Concern was expressed from the audience for the need to simplify the language in the UDA and the need to get information out to the nursing public possibly through a newsletter.

Personnel changes: Paula announced staff changes in HPQA #6. Megan Pottoroff and Deborah Coutourier have resigned. Marc Defreyn has been selected for the legal attorney position. Brenda Smith has been hired as a legal secretary. Chuck Cumisky is on military leave.

Survey results from the National Council of State Boards of Nursing, the Department of Personnel Employee survey, and a Comprehensive Assessment of Employee Knowledge were reviewed by the managers in July. Priorities were identified and task forces assigned to meet the goals. One of the groups selected the newsletter issue and options will be evaluated.

DECISION: Ezra Kinlow, Judy Personnett, Frank Maziarski and Jackie Rowe have volunteered to attend the BCCC in Olympia. Other commission members will be contacted to see if they can attend.

5. Discussion Items—DISCUSSION/ACTION (If items are selected for action and a task force assigned, the group will meet once, complete the charter and then come to the next meeting for decision to proceed).

If items are selected for action and a task force assigned, the group will meet once, complete the charter and then come to the next meeting for a decision to proceed.

DISCUSSION: There were no discussion items at this time.

6. NCSBN Annual meeting, Alexandria VA, August 5-11, 2003— Paula Meyer – DISCUSSION/ACTION

Cheryl Payseno, Roberta Schott, and Paula Meyer attended the NCSBN annual meeting, held in Alexandria VA. A discussion of resolutions, committee reports and committee membership will be presented.

DISCUSSION: Paula Meyer gave a report on the annual meeting. NCSBN developed a position paper on the regulation of nursing assistive personnel with a report to the 2004

Delegate Assembly. The regulation of Clinical Nurse Specialists was not approved. She explained the NCLEX examination and that a motion was made and passed at NCSBN to authorize the Board of Directors to negotiate a proposed contract amendment with Pearson Vue to implement a time limit extension for the NCLEX-RN exam. The time extension is supported by the data and analysis by the Examination Committee and a report will be presented to the Delegate Assembly in 2004 for approval. Paula shared the need for item writers for the NCLEX test. Paula reported on the changes to the articles of the bylaws that are being changed. The NCSBN annual meeting video tape is available at the commission office upon request along with the written report.

7. LPN role in community Based Care Settings—Jackie Rowe, Becky Kerben, Paula Meyer—DISCUSSION/ACTION

The task force members will provide a report to the NCQAC on the first task force and stakeholder meeting. Subsequent meeting dates, locations and agendas will be discussed.

DISCUSSION: Mariann Williams reported on the first task force meeting on the LPN role in Community based care settings. She explained that there has been one stakeholder meeting that included representation from a wide arena. Job descriptions for LPNs in their facilities, supervision or delegation to LPNs, acuity or intensity of clients that they serve and questions/concerns that they may have were all discussed at the first stakeholder meeting. Some of the testimony from that meeting was shared. The scope of practice decision tree was presented at the meeting as well as WACs 246-840-700 through 705. The commission members participating on the task force had a working meeting to review the testimony given at the stakeholder meeting and will present a report at the next stakeholder meeting originally scheduled on September 22.

The task force is evaluating the care plan established in consultation with an RN.

8. Operating Agreements— Frank Maziarski, Judith Personett — DISCUSSION/ACTION

On a biennial basis, the boards and commissions review the operating agreements between each board/commission and the department. Mr. Maziarski, Dr. Personett and Ms. Meyer met and reviewed the Operating Agreement. The NCQAC will consider a recommendation on the operating agreement.

DISCUSSION: Judy Personett reported on the recommendations that the workgroup is suggesting to define terms in the operating agreements.

ACTION: The recommendations defining mutual agreed time periods and reports were accepted.

9. Nursing Assistant Training Program Approvals – Kendra Pitzler – DISCUSSION/ACTION

The NCQAC reviewed the draft Memorandum of Understanding among the Department of Social and Health Services, The Department of health and the NCQAC at the July meeting. The NCQAC will be responsible for approving Nursing Assistant Training Programs for the requirements in the nursing assistant laws. Ms. Pitzler will present the proposed procedure for discussion and recommendations.

DISCUSSION: Karl Hoehn presented the final draft dated September 11, 2003 on the Nursing Assistant Training Program Approvals. Kendra Pitzler presented the first draft to the commission at the May meeting. The purpose of the policy is to define the Nursing Care

Quality Assurance Commission's approval of Nursing Assistant (NA) training programs to meet state requirements defined in their WACs.

DECISION: A decision was made for staff to follow up with the exam history. The commission requested a flow chart showing what requirements DSHS will evaluate according to Federal statutes and which requirements will be evaluated by NCQAC. The Memorandum of Understanding will be available upon request at the commission office.

ACTION: A motion was made and passed to adopt the draft policy dated September 11, 2003 with amendments to remove "... and that Nursing Assistant applicants for certification pass a competency examination approved by the NCQAC." A copy of the policy is available upon request from the NCQAC office.

The commission made and passed a motion to approve the draft NPAP policy dated September 12, 2001 with corrections.

10. Out of state travel through June 30, 2004 – Paula Meyer – DISCUSSION/ACTION

The commission members will review suggestions for out of state travel through the end of June 2004. The policy on out of state travel and the allotted trips will be reviewed. Recommendations for commission member and staff will be presented.

DISCUSSION: The commission discussed the out of state travel and suggestions for Paula Meyer to bring any out of state travel in the future to the commission for discussion. Four members were selected to attend the NCSBN mid year meeting to be held March 2004, in Chicago: Frank Maziarski, Roberta Schott, Judy Personnett and Paula Meyer. Three members were selected to attend the Citizen Advocacy Council (CAC) meeting being held November 13-15 in Washington DC: Ezra Kinlow, Karen Brewer and Mariann Williams. The NCSBN annual meeting will be held August 2004. Roberta Schott has been selected as a member of the NCSBN resolutions committee. Therefore, her expenses associated with travel and attendance at that meeting will be paid by the NCSBN. Maura Egan has been chosen as a member of the NCSBN's Model Rules committee. Her travel expenses will be paid by NCSBN. Linda Patterson, investigator, is a member of the NCSBN'S Taxonomy of Error, Root Cause Analysis Project (TERCAP). Her travel expense associated with this project will be paid by NCSBN. All out of state travel is subject to assistant secretary approval, prior to travel.

ACTION: A motion was made and passed to support approval for Frank Maziarski, Roberta Schott, Judy Personnett and Paula Meyer to attend the NCSBN mid year meeting. Ezra Kinlow, Karen Brewer and Mariann Williams were selected to seek approval to attend the CAC meeting, November 13-15.

11. Executive Session if needed—The Executive Session is that part of a regular or special meeting that is closed to the public.

DISCUSSION: There was no need for an executive session.

LUNCH

1:00PM—OPEN MIKE

Open mike is for public presentation of issues to the Nursing commission. If the public has issues regarding disciplinary cases, please call: 360-236-4727.

12. Discipline Subcommittee report—Cheryl Payseno—DISCUSSION/ACTION

- A. Sanction Guidelines – DISCUSSION/ACTION
 - Documentation Errors
 - Failure to Intervene
- B. Other

DISCUSSION: Karl Hoehn explained the DRAFT Use of Sanction Guidelines in Disciplinary Action that was brought to the commission with a second.

The use of sanction guidelines in disciplinary action will be used as guidelines only.

ACTION: A motion was made and passed to adopt the draft policy on the use of sanction guidelines in disciplinary action.

13. Practice/Education Subcommittee report—Mariann Williams—DISCUSSION/ACTION

A. Practice report –Mariann Williams – DISCUSSION/ACTION

- 1. Laser position - DISCUSSION/ACTION
- 2. Position statement on: Intravenous Therapy by Licensed Practical Nurses – DISCUSSION/ACTION

DISCUSSION: The Laser position is still being refined.

ACTION: A motion was made and seconded to accept the statement with amendments to address emergency cardiac medications and blood/blood products. This motion passed by voice vote and then questioned. The motion then was made, seconded, and passed according to a hand count. A motion to reconsider the amended language was made and seconded, and passed by a hand count.

A motion was then made and seconded to amend the original motion to adopt the changes made to the statement. This motion then passed, by a hand count.

3. Advisory opinions – DISCUSSION/ACTION

- a. Request from Leslie Spain, RN for Willie Tarr, Director of Perioperative Services, St. Joseph Hospital, Bellingham, WA

RE: Anesthesia technologists: At the request of the anesthesiologist, during the placement of a regional block (either femoral, axillary or interscaline) our anesthesia techs (or an RN who may be helping the anesthesiologist) have done the actual injection of local anesthetic while the anesthesiologist has secured the needle placement with both hands. The question is whether or not this practice lies within the scope of practice of the anesthesia tech's that hold a HCA certification level A/B.

ACTION: The commission made and passed a motion to accept the advisory opinion.

- b. Request from: Karen Hays, CNM, ARNP, Seattle, WA

RE: May ARNPs (Certified Nurse-Midwives in my case) have consultative and referral relationships with Licensed Midwives (licensed under RCW 18.50)?

ACTION: A motion was made and passed to accept the advisory opinion with corrections. The statement reflects the ability of the NCQAC to determine the scope of practice for ARNPs/CNMs. While the NCQAC feels that consultation with licensed midwives would be within the CNM scope of practice, the licensed

midwives practice act, RCW 18.50.010 states that consultation must occur with a physician when there are significant deviations from normal. The statement was amended "This should not be construed as relieving the licensed midwife of their legal responsibility to consult with a physician according to RCW 18.50.010."

c. Request from: Sylvia Berry, ARNP, Seattle, WA
RE: *Is it within the scope of my practice (Women's Health Care Nurse Practitioner) to treat men for common dermatology problems as well as genital dermatology conditions?*

Action: A motion was made and passed to accept the advisory opinion.

d. Request from: Ms. Jill Wandro, RN, CEN Emergency Dept/ Fist Net Evergreen Hospital Medical Center, Kirkland WA.
RE: *"What is Washington State's Standard of Practice regarding Scope of Practice of Nurse Order Review of orders entered in to the computer by clinical and non-clinical personnel? These are orders written in the paper chart and then entered in to the computer system by clinical and non-clinical personnel. Chart-checks are noted in the paper chart at appropriate intervals. However, what is the standard for marking them "reviewed" in the computer as well (who/when)?" Another clarification we need involves if these Standards can vary based on location.*

ACTION: The commission made and passed a motion to accept the advisory opinion.

e. Request from: Melanie Gilmore, RN, BSN, Director Educational Services, Yakima Valley RE: Memorial Hospital, 2811 Tieton Drive, Yakima, WA 98908
Is it appropriate for the RNs in our hospital to teach our patients friends/family or identified individuals to assist them (following discharge from the hospital) with tasks such as: insulin administration and catheterization, when the caregiver is reimbursed by the patient, agency, or insurance. The caregivers we teach are typically family and friends, but recently one caregiver was going to receive reimbursement. Hospital staff was unaware caregiver would be reimbursed. Should this matter? Should we refuse to teach the caregiver if they say they'll receive reimbursement?

DECISION: The commission made a decision to revisit this advisory opinion at the November meeting.

B. Education report – Mariann Williams – DISCUSSION/ACTION

1. Reorganization of Practice & Education Sub-committees – DISCUSSION/ACTION

- a. Membership
- b. Joint meetings twice/year

ACTION: A motion was made and passed to divide the Practice and Education Subcommittees and return to two subcommittees as previously established with each having their own chairpersons.

A motion was made and passed that the steering committee will consist of the Nursing Commission chair, Vice Chair, each chair of the Practice, Education, Discipline Subcommittees and the Executive Director.

DISCUSSION: There was discussion as to whether a commission/pro tem can hold an office with a State or National Association.

DECISION: The steering committee will revise the steering subcommittee position description to present to the full commission in November for a vote.

2. Annual work plan – DISCUSSION/ACTION

3. Continuing competency model – DISCUSSION/ACTION

DISCUSSION: The commission considered the format used by the Chiropractic and Psychology Boards. It was discussed to request the Executive Director of HPQA #3 present the continued competency work done by the Chiropractic Quality Assurance Commission. RCW 18.130.270 Continuing competency pilot projects was read. This statute determines the ability for boards and commissions to seek secretary approval to begin continuing competency pilot projects and the methods to follow

DECISION: A decision was made that the subcommittees would consist of the following persons;
Disciplinary subcommittee: Cheryl Payseno, Chair, Ezra Kinlow, Becky Kerben
Practice subcommittee: Roberta Schott, Chair, Frank Maziarski, Karen Brewer, Jeanne Vincent
Education subcommittee: Mariann Williams, Chair, Penny Woodruff, Jackie Rowe

ACTION: A motion was made and passed to accept Victoria Fletcher's continuing competency report presented at the July meeting and pursue, in a workshop format, a request for information from other boards/commissions doing pilot projects.

C. Other

Maura Egan presented the Washington RN/LPN licensing examination results for January 1, 2003 through June 30, 2003 for review.

DISCUSSION: The licensing examination results are available upon request at the commission office.

DECISION: The Nursing Commission would like an annual summary of the licensing examination results chart.

14. Other/FYI

15. Closing — The meeting was adjourned at 3:50PM by Roberta Schott, Co-Vice Chair. The minutes were recorded by Kris McLaughlin.